

PCT 10/53245

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference NdP 87119	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA416)	
International application No. PCT/EP 03/12827	International filing date (day/month/year) 13.11.2003	Priority date (day/month/year) 15.11.2002
International Patent Classification (IPC) or both national classification and IPC F01D25/12		
Applicant NUOVO PIGNONE HOLDING S.P.A.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 26.05.2004	Date of completion of this report 01.03.2005
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer de Rooij, M Telephone No. +31 70 340-2306 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No.

PCT/EP 03/12827

I. Basis of the report

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*

Description, Pages

1-10 as originally filed

Claims, Numbers

1-12 as originally filed

Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	5,10,11
	No: Claims	1-4,6-9,12
Inventive step (IS)	Yes: Claims	
	No: Claims	1-12
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: US-A-5 993 150 (LIOTTA GARY C ET AL) 30 November 1999

D2: US-A-4 177 004 (BOBO MELVIN ET AL) 4 December 1979

D3: US-A-4 303 371 (ECKERT TERRY T) 1 December 1981

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

2.1 The document D1 discloses an (the references in parentheses applying to this document):

Assembly consisting of internal casing (34) and support device (30) for nozzles in a gas turbine stage, said nozzles being grouped together in sectors and each of said sectors being connected externally to an external casing of said gas turbine by means of said support device (30), said support device (30) being kept in position by said internal casing (34), there also being formed first cooling holes (38d) on said internal casing (34) and second cooling holes (38b, 40a etc.) on said support device (30), whereby said first cooling holes (38d) of said internal casing (34) have an extension substantially parallel to the axis of said gas turbine.

The subject-matter of claim 1 is therefore not new.

2.2 Also documents D2 and D3 disclose the combination of features of claim 1.

3. Dependent claims 2-12 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, since they are known from documents D1-D3 or are merely a matter of obvious design procedure, see. e.g.:

- claims 2, 3, 6, 8 and 9: D1, fig. 2
- claim 4: D1, col. 4, l. 14 - 26

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- claims 5, 10 and 11: obvious design possibility
- claim 7: D1, col. 3, l. 27 - 35
- claim 12: D2, col. 2, l. 43 - 49